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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION TWO

ARMAND TINKERIAN,

Plaintiff and Respondent,

v.

ROBERT KHATCHATRIAN et al.,

Defendants and Appellants;

HARRY S. ZEKIAN et al.,

Movants and Respondents;

CLINT W. FEDDERSEN et al.,

Objectors and Appellants.

B158681

(Los Angeles County
Super. Ct. No. EC 031907)

APPEAL from an order of the Superior Court of Los Angeles County. Joseph Kalin, Judge. Affirmed.

Clint W. Feddersen for Defendants and Appellants and Objectors and Appellants.

Armand Tinkerian, in pro. per.; and Harry S. Zekian for Plaintiff and Respondent and Movants and Respondents.

Defendant Robert Khatchatrian and his attorney, Clint Feddersen, appeal from the trial court's April 16, 2002 minute order imposing discovery sanctions against them in the amount of \$7,500 in favor of plaintiff's attorneys for "failing to provide timely responses to plaintiff's discovery" in an attorney fees action. The sanctions were imposed following a series of four hearings on plaintiff and respondent Armand Tinkerian's eight motions to compel responses to form and special interrogatories and requests for admissions and document production. We affirm.

I.

Appellants raise several arguments as to why sanctions should not have been imposed against them, including that the motions to compel were improperly served and lacked merit, plaintiff failed to comply with meet and confer requirements, the amount of sanctions is excessive, and sanctions should instead be imposed against plaintiff. But nowhere in their various arguments do appellants cite us to a single page of the clerk's transcript, composed of 784 pages, with one exception.¹ Furthermore, in the factual background section of their opening brief, appellants fail to cite us to the relevant portions of the record, citing primarily to statements made by counsel and the court at the different hearings, none of which advance appellants' position on appeal.

California Rules of Court, rule 14(a)(1)(C) requires each appellate brief to "support any reference to a matter in the record by citation to the record." We are not required to make an independent, unassisted study of the record to ascertain whether it contains support for appellants' contentions. (*Guthrey v. State of California* (1998) 63 Cal.App.4th 1108, 1115; *Mansell v. Board of Administration* (1994) 30 Cal.App.4th 539, 546.) Arguments made without appropriate citation to the record may be deemed waived. (*Annod Corp. v. Hamilton & Samuels* (2002) 100 Cal.App.4th 1286, 1301.) "It

¹ In arguing that the motions to compel were served without supporting declarations, appellants cite us to similar assertions in the memoranda of points and authorities sections of their oppositions to the motions, which are unsupported.

is the duty of counsel to refer the reviewing court to the portion of the record which supports appellant's contentions on appeal. [Citation.] If no citation 'is furnished on a particular point, the court may treat it as waived.'" (*Guthrey*, at p. 1115.)

In addition to their failure to provide citations to the record, appellants also fail to cite to relevant legal authority, instead basing their arguments on generalizations and conclusory assertions. For example, in arguing that the imposed sanctions are excessive, appellants simply assert: "Both the time spent and the hourly rate seem grossly exaggerated, and the court should not have accepted Plaintiff's figures as either correct or reasonable." "It is established that ' . . . an appellate brief "should contain a legal argument with citation of authorities on the points made. If none is furnished on a particular point, the court may treat it as waived, and pass it without consideration." [Citation.] [¶] . . . This court is not inclined to act as counsel for . . . appellant and furnish a legal argument as to how the trial court's rulings . . . constituted an abuse of discretion.'" (*Mansell v. Board of Administration, supra*, 30 Cal.App.4th at pp. 545-546, quoting *In re Marriage of Schroeder* (1987) 192 Cal.App.3d 1154, 1164.)

Because appellants failed to cite us to both the specific pages in the record and the applicable legal authority to support their arguments, we find this to be an appropriate case to deem appellants' arguments as waived. Accordingly, we affirm the trial court's order of sanctions.

II.

At the end of his brief, respondent appears to be asking us to impose sanctions against appellants for filing a frivolous appeal "intended to harass Plaintiff and delay the adverse judgment." Respondent cites us to California Rules of Court, rule 26, but the applicable rule is rule 27. Rule 27 requires a party seeking sanctions to file a motion with a declaration supporting the amount of sanctions sought, which respondent failed to do. Accordingly, respondent's request for sanctions on appeal is denied.

DISPOSITION

The order imposing sanctions is affirmed. Respondent to recover costs on appeal.

NOT FOR PUBLICATION.

_____, J.

DOI TODD

We concur:

_____, P.J.

BOREN

_____, J.

ASHMANN-GERST